REMARKS/ARGUMENTS

Favorable reconsideration of the above-identified patent application, in light of the above amendments and the following remarks is respectfully requested. The presently pending claims are claims 1-12 and 14-21. Claims 1, 5-10, 12, 14 and 15 have been amended. Claim 13 has been canceled. Claims 20 and 21 has been added.

In the Office Action, the Examiner rejected claims 1-8, 10 and 12-18 under U.S. C. 102 as being anticipated by U.S. Patent No. 5,592,561 to Moore (Moore). The Examiner stated that Moore discloses a system and method including an authenticator with a processor storing authentication data. In addition, the Examiner stated that Moore compares a distinctive value because symbols are compared and the symbols are distinct and unique. In addition, the Examiner stated that Moore includes supplemental data such as audit trail information and other pertinent information.

In response, the Applicant has amended independent claims 1, 5-8, 10, 12, 14, and 15 to better differentiate Applicant's invention from Moore. In addition, claim 13 has been canceled. Moore discloses a system and method that encrypts the authenticating data on the product. A host computer decrypts the retrieved authenticating data received from a field reader and validates the data. On the other hand, the Applicant's invention uses an interface device which extracts retrieved product data. This product data is sent to an authenticator. The authenticator includes a separate stored data. The product data and stored data are *combined* to form *resultant* data. This *resultant* data is then compared with the authenticating data to determine if the product is authentic. The product data is not compare alone with the authenticating data in the Applicant's invention. Thus, an additional step is undertaken to provide a comparison. In this fashion, the Applicant's invention

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prevents potential counterfeiters from determining the authenticating data. Moore does not combine the retrieved product data with stored data in the host computer. Moore merely decrypts encrypted data retrieved from the product to determine authenticity. However, in the Applicant's invention, rather than merely encrypting the product data to compare to the authenticating data, the Applicant combines the retrieved product data with stored data stored within the authenticator, thereby providing a more secure system.

Claims 2-8 and 10 depend from amended independent claim 1 and recite additional limitations in combination with the novel elements of claim 1. Additionally, claims 14-18 depend from amended independent claim 12 and recite additional limitations in combination with the novel elements of claim 12. Therefore, the withdrawal of the rejection and the allowance of claims 1-8, 10, 12, and 14-18 is respectfully requested.

The Examiner rejected claim 9 under 35 U.S.C. 103(a) as being unpatentable over Moore in view of U.S. Patent No. 6,442,276 to Doljack (Doljack). The Examiner stated that Doljack discloses a system for authenticating goods with either audible or visual indicator comparison. The Examiner stated that it would have been obvious to one of ordinary skill in the art to have included an audible indication of Doljack in the system of Moore.

In response, the Applicant has amended claims 1 and 9 to better differentiate Applicant's invention from the cited references. Claim 9 depends from amended independent claim 1 and recites additional limitations in combination with the novel elements of claim 1. Neither Moore nor Doljack teach or suggest a system that extracts product data, combines the extracted product data with a stored data to form a resultant data, and compares the resultant data with the authenticating

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data. The Applicant's invention does not merely use the extracted product data alone to determine the authenticity of the product. The Applicant combines the extracted product data with stored data to form a resultant data. The resultant data is then used to compare the combined data with the authenticating data. Therefore, the withdrawal of the rejection and the allowance of claim 9 is respectfully requested.

The Examiner rejected claims 11 and 19 under 35 U.S.C. 103(a) as being unpatentable over Moore in view of U.S. Patent No. 5,974,150 to Kaish (Kaish). The Examiner stated that Kaish discloses a system for authenticating goods with a means to erase the authentication memory upon detecting tampering. The Examiner stated that it would have been obvious to one of ordinary skill in the art to have included the means to erase the memory in response to improper access of Kaish with Moore.

In response, the Applicant has amended independent claims 1 and 12 to better differentiate Applicant's invention from the cited references. Claim 11 depends from amended independent claim 1 and recites additional limitations in combination with the novel elements of claim 1. Claim 19 depends from amended independent claim 1 and recites additional limitations in combination with the novel elements of claim 1. Neither Moore nor Kaish teach or suggest a system which extracts product data, combines the extracted product data with a stored data to form a resultant data, and compares the resultant data with the authenticating data. The Applicant's invention does not merely use the extracted product data alone to determine the authenticity of the product. The Applicant combines the extracted product data with stored data to form a resultant data. The resultant data is

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then used to compare the combined data with the authenticating data. Therefore, the withdrawal of

the rejection and the allowance of claims 11 and 19 is respectfully requested.

In regards to added claims 20 and 21, the Applicant's invention utilizes specific product data,

specifically temperature within a capsule or scent to combine with the stored data to form the

resultant data. None of the cited references teaches or suggests such an authenticating system.

CONCLUSION

For all the above reasons, the Applicant respectfully requests the reconsideration and

withdrawal of the rejection and the allowance of claims 1-12 and 14-21.

Respectfully submitted,
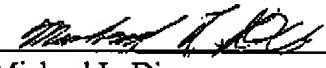
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